

FILED

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

20 In re TERAYON COMMUNICATION) Master File No. C-00-1967-MHP
21 SYSTEMS, INC. SECURITIES LITIGATION)

22) CLASS ACTION

23 This Document Relates To:) STIPULATION AND ~~PROPOSED~~
24) ORDER MODIFYING CASE SCHEDULE

25 ALL ACTIONS.
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1 WHEREAS, on January 3, 2006, the Court issued an order modifying the schedule for the
2 remainder of the case including dates for filing supplemental summary judgment briefs, completing
3 expert discovery and filing *in limine* motions;

4 WHEREAS, on January 10, 2006, the Court issued an order that required supplemental
5 summary judgment opposition briefs to be filed on January 9, 2006 and changed the date for the
6 summary judgment hearing from February 2, 2006 to February 27, 2006;

7 WHEREAS, on January 24, 2006, the Court issued an order requiring supplemental summary
8 judgment reply briefs to be filed by February 3, 2006;

9 THEREFORE, the parties stipulate and agree as follows:

- 10 1. Supplemental summary judgment reply briefs shall be due on February 3, 2006.
- 11 2. The hearing on the parties' motions for summary judgment shall be on February 27,
12 2006 at 2:00 p.m.
- 13 3. Supplemental expert disclosures shall be due on March 3, 2006.
- 14 4. Expert discovery shall be completed by March 31, 2006.
- 15 5. *In limine* motions (including any motions to exclude expert testimony) shall be filed
16 by April 14, 2006.
- 17 6. Opposition *in limine* motions shall be filed by May 5, 2006.
- 18 7. Reply *in limine* motions shall be filed by May ¹²12, 2006.
- 19 8. The hearing of the parties' *in limine* motions shall be on May ²⁴24, 2006. @ 2:30pm.
- 20 9. The trial date shall remain June ¹³13, 2006. @ 8:30 am

21 DATED: February 1, 2006

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23 DATED: February 1, 2006

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Attorneys for Defendants Terayon
Communication Systems, Inc., Zaki Rakib,
Shlomo Rakib, and Raymond M. Fritz

1 I, Jeffrey W. Lawrence, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Modifying Case Schedule. In compliance with General Order 45,
3 X.B., I hereby attest that Thad A. Davis has concurred in this filing.

4
5 _____/s/
JEFFREY W. LAWRENCE

6 * * *

7 ORDER

8 IT IS SO ORDERED. *This case is set for pretrial on*
9 *May 12, 2006 at 2:30 p.m.*
10 DATED: 24 _____ *MHP*

11 THE HONORABLE MARILYN HALL PATEL
UNITED STATES DISTRICT JUDGE

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DECLARATION OF SERVICE BY FACSIMILE

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and employed in the City and County of San Francisco, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 100 Pine Street, Suite 2600, San Francisco, California 94111.

2. That on February 1, 2006, declarant served by facsimile the **STIPULATION AND [PROPOSED] ORDER MODIFYING CASE SCHEDULE** to the parties listed on the attached Service List.

3. That there is a regular communication by facsimile between the place of origin and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 1st day of February, 2005, at San Francisco, California.

/s/

CAROLYN BURR